



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

David T. Marshall, DVM
State Veterinarian

July 29, 2009

Ms. Fran Arbit
Fran's Felines
6106 Felucca Street
New Bern, NC 28560

CERTIFIED MAIL;
RETURN RECEIPT REQUESTED
7006 2760 0003 0472 1092

Re: REVOCATION OF ANIMAL SHELTER CERTIFICATE OF REGISTRATION
Fran's Felines
Animal Shelter Certification no. 104

Dear Ms. Arbit:

This letter is an Order concerning your operation of an animal shelter under certification of registration from the Animal Welfare Section of the North Carolina Department of Agriculture and Consumer Services (NCDA&CS) pursuant to N.C. Gen. Stat. § 19A-26. Your animal shelter, Fran's Felines, has failed inspections conducted by this Section on:

July 20, 2009 and May 5, 2009

pursuant to the requirements set forth under the NC Animal Welfare Act. You have been provided with the NC Animal Welfare Act and the rules establishing facility standards there under with your certification application.

To date, your facility has failed inspection demonstrating serious deficiencies in the conditions in which your animals are kept and the care that they receive. These deficiencies are described in detail on the attached inspection reports, provided as required by N.C. Gen. Stat. § 19A-30. For the reasons set forth in your last inspection report, your certification of registration is hereby revoked for failure to comply with the requirements set forth in N.C. Gen. Stat. § 19A-30(3).

You may contest this decision by filing a petition under the North Carolina Administrative Procedure Act, N.C. Gen. Stat. § 150B-23, within five days of your receipt of this Order. Please find enclosed information on filing said petition.

Therefore, you are notified to cease and desist operation of an animal shelter within thirty (30) days of receipt of this letter. If you are found operating an animal shelter after the thirtieth day following your receipt of this letter, the NCDA&CS has the authority to impose a civil penalty of up to five thousand dollars (\$5,000.00) pursuant to:

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

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TTY: 1-800-735-2962 Voice: 1-877-735-8200

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If you believe that you have substantially corrected the reasons for having failed your last inspection and are qualified for certification for registration, please contact this office immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Hunter, DVM, MPH". The signature is stylized and cursive.

Lee Hunter, DVM, MPH
Director, Animal Welfare Section
Veterinary Division, NCDA&CS

Enclosures

cc: David McLeod, Assistant Commissioner, NCDA&CS
David T. Marshall, DVM, State Veterinarian, NCDA&CS
Barry Bloch, Assistant Attorney General, NCDOJ
Joe Blomquist, Administrative Officer, NCDA&CS